

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER LEE CARD,

Plaintiff,

v.

COUNTY OF ALAMEDA, et al.,

Defendants.

Case No. [23-cv-06246-AMO](#) (PR)

ORDER DIRECTING CLERK OF THE COURT TO CONSOLIDATE THIS CASE WITH CASE NO. 25-CV-00653-AMO (PR) AND TO FILE PENDING AMENDED COMPLAINT AS SUPPLEMENTAL COMPLAINT IN CASE NO. 25-CV-00653-AMO (PR)

CHRISTOPHER LEE CARD,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

Case No. [25-cv-00653-AMO](#) (PR)

ORDER GRANTING PLAINTIFF'S MOTION TO CONSOLIDATE THIS CASE WITH CASE NO. 23-CV-06246 AMO (PR); AND TERMINATING AS PREMATURE DEFENDANT COUNTY OF ALAMEDA'S MOTION TO DISMISS

Re: Dkt. Nos. 8, 12

Before the Court is Defendant County of Alameda's motion to dismiss Plaintiff Christopher Lee Card's higher numbered above-captioned civil rights action under 42 U.S.C. § 1983, which Card opposes. *See* Case No. 25-cv-00653-AMO (PR), Dkts. 8, 17. Also before the Court is Card's motion to consolidate Case No. 25-cv-00653-AMO (PR) with his previous action, Case No. 23-cv-06246-AMO (PR). Case No. 25-cv-00653-AMO (PR), Dkt. 12.

Card originally filed Case No. 25-cv-00653-AMO (PR) in the Alameda County Superior Court, *Card v. The State of California, et al.*, Case No. 24CV076642, alleging state and federal constitutional violations stemming from Card's receipt of treatment in 2023 at John George Psychiatric Hospital in San Leandro, California. *See* Case No. 25-cv-00653-AMO (PR), Dkt. 1-1

at 5-27¹; Defs.’ Ex. A. Defendant County of Alameda removed the action to this Court pursuant to 28 U.S.C. § 1441(b). Instead of first filing a motion asking the Court to screen the complaint under 28 U.S.C. § 1915A, the defendant has filed the pending motion to dismiss, *see* Case No. 25-cv-00653-AMO (PR), Dkt. 8, which is **DENIED** as premature, as explained below.

Also pending before the Court is Card’s amended complaint in his lower numbered above-captioned section 1983 action. *See* Case No. 23-cv-06246-AMO (PR), Dkt. 9.

I. MOTION TO CONSOLIDATE ACTIONS

In Defendant County of Alameda’s motion to dismiss Case No. 25-cv-00653-AMO (PR), the defendant concedes that Card filed a prior lawsuit, Case No. 23-cv-06246-AMO (PR), “arising from the same subject matter as the instant suit.”² Case No. 25-cv-00653-AMO (PR), Dkt. 8 at 16. On July 11, 2024, Card filed his amended complaint, which is the operative complaint in Case No. 23-cv-06246-AMO (PR), naming Alameda County, Alameda Health System, Alameda County Behavioral Health Care Services (“ACBHS”), and eight other defendants in their individual capacities (Dr. Gil; Nurse Neka; Nurse Pam; “Calm Guy”; Assailant #1; Assailant #2; “Chubby Security Guard”; and Dr. Doe #1). *Compare* Case No. 23-cv-06246-AMO (PR), Dkt. 9 at 1-2 *with* Case No. 25-cv-00653-AMO (PR), Dkt. 1-1 at 5-6. This prior action also relates to Card’s treatment at John George Psychiatric Hospital in 2023, during which Card was allegedly “attacked” and forcefully fed chemicals against his will. *Compare* Case No. 23-cv-06246-AMO (PR), Dkt. 9 at 4-15 *with* Case No. 25-cv-00653-AMO (PR), Dkt. 1-1 at 8-26. In the prior action, Card brought similar federal and state constitutional violations as in Case No. 25-cv-00653-AMO (PR) against Alameda County, ACBHS, and County employees. *See id.*

Because the claims in both cases are closely related, for purposes of judicial economy, the

¹ Page number citations refer to those assigned by the Court’s electronic case management filing system and not those assigned by the parties.

² The parties also refer to another prior lawsuit arising from the same subject matter as the complaint in Case No. 25-cv-00653-AMO (PR), but the Court need not address this issue as the complaint in that prior lawsuit—Case No. 24-cv-04760-AMO (PR)—has since been dismissed. *See* Case No. 24-cv-04760-AMO (PR), Dkt. 8 (order dismissing action filed on April 18, 2025).

1 Court **GRANTS** Card's motion to consolidate the above-captioned actions.³ Case No. 25-cv-
2 00653-AMO (PR), Dkt. 12. The Clerk of the Court shall **CLOSE** the file and **TERMINATE** as
3 moot all pending motions in Case No. 23-cv-06246-AMO (PR). All future filings shall refer to
4 the higher numbered case, Case No. 25-cv-00653-AMO (PR). The Clerk shall file Case No. 23-
5 cv-06246-AMO (PR), Docket No. 9 as the "Supplemental Complaint" in Case No. 25-cv-00653-
6 AMO (PR).

7 As mentioned above, Defendant County of Alameda did not first file a motion asking the
8 Court to screen the complaint in Case No. 25-cv-00653-AMO (PR) under 28 U.S.C. § 1915A.
9 Accordingly, the pending motion to dismiss is **DENIED** as premature. Case No. 25-cv-00653-
10 AMO (PR), Dkt. 8. In a separate written Order, the Court will screen the original complaint along
11 with the supplemental complaint after it has been filed in Case No. 25-cv-00653-AMO (PR).

12 **II. INSTRUCTIONS REGARDING DUPLICATIVE FILINGS BY CARD**

13 Throughout the course of the proceedings in Case No. 25-cv-00653-AMO (PR), Card has
14 submitted duplicative requests to appear virtually. *See* Case No. 25-cv-00653-AMO (PR), Dkts.
15 13, 21. Because all matters will be handled on the papers, Card's requests to appear virtually were
16 denied. Case No. 25-cv-00653-AMO (PR), Dkt. 20. Absent extraordinary circumstances, there
17 appears to be no need for Card to file such requests or any other filings in this action until *after*
18 (1) the Court instructs him to do so once it has reviewed his claims or (2) he has been served with
19 the defendant's dispositive motion, if the defendant chooses to file a renewed motion to dismiss
20 after the Court's review of Card's claims. This does not mean that Card is prohibited from filing
21 additional pleadings before then, but the Court directs him to refrain from filing duplicative
22 filings.

23 **III. CONCLUSION**

24 For the reasons above, the Court orders as follows:

- 25 1. The Court **GRANTS** Card's motion to consolidate the above-captioned actions.

27 ³ The Court notes that Defendant County of Alameda paid the filing fee for Case No. 25-cv-
28 00653-AMO (PR) and Card is proceeding *in forma pauperis* in Case No. 25-cv-00653-AMO, and
thus the Court can choose to proceed in either the lower numbered or the higher numbered action.

1 Case No. 25-cv-00653-AMO (PR), Dkt. 12. The Clerk shall **CLOSE** the file and **TERMINATE**
2 as moot all pending motions in Case No. 23-cv-06246-AMO (PR). **All future filings shall refer**
3 **to the higher numbered case, Case No. 25-cv-00653-AMO (PR).** The Clerk shall file Case No.
4 23-cv-06246-AMO (PR), Docket No. 9 as the “Supplemental Complaint” in Case No. 25-cv-
5 00653-AMO (PR).

6 2. Defendant County of Alameda’s pending motion to dismiss is **DENIED** as
7 premature. Case No. 25-cv-00653-AMO (PR), Dkt. 8. In a separate written Order, the Court will
8 screen the original complaint along with the supplemental complaint after it has been filed in Case
9 No. 25-cv-00653-AMO (PR).

10 3. The Court instructs Card not to file further pleadings in this action until *after*
11 (1) the Court instructs him to do so once it has reviewed his claims or (2) he has been served with
12 the defendant’s dispositive motion, if the defendant chooses to file a renewed motion to dismiss
13 after the Court’s review of Card’s claims.

14 4. This Order terminates Docket Nos. 8 and 12 in Case No. 25-cv-00653-AMO (PR).

15 **IT IS SO ORDERED.**

16 Dated: September 29, 2025

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19 **ARACELI MARTÍNEZ-OLGUÍN**
20 **United States District Judge**
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